

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1998

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Legislative Document

No. 2014

S.P. 736

In Senate, January 14, 1998

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### An Act Concerning Elver Fishing.

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Submitted by the Department of Marine Resources pursuant to Joint Rule 204.  
Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.  
Cosponsored by Representative ETNIER of Harpswell and  
Representatives: GOODWIN of Pembroke, LAYTON of Cherryfield, PINKHAM of Lamoine.

Be it enacted by the People of the State of Maine as follows:

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3       **Sec. 1. 12 MRSA §6001, sub-§13-G**, as amended by PL 1997, c.  
4 91, §1, is further amended to read:

6       **13-G. Elver fyke net.** "Elver fyke net" means a fyke net  
7 that is 30 feet or less in length from cod end to either wing  
8 tip, is fitted with netting that measures 1/8 inch bar mesh or  
9 less and that contains a 1/2-inch bar mesh or less excluder panel  
10 that covers the entrance of the net.

12       **Sec. 2. 12 MRSA §6001, sub-§17-C**, as enacted by PL 1995, c.  
13 536, Pt. A, §2, is amended to read:

14       **17-C. Fyke net.** "Fyke net" means a funnel-shaped net that  
15 consists of not more than one funnel end, one cod end and 2 wings  
16 designed to intercept moving marine organisms and retain marine  
17 organisms in a confined space.

20       **Sec. 3. 12 MRSA §6505-B, sub-§2**, as enacted by PL 1995, c.  
21 536, Pt. A, §8, is amended to read:

22       **2. Tags for elver fyke net and Sheldon eel trap.** It is  
23 unlawful for a person to submerge an elver fyke net or Sheldon  
24 eel trap in the coastal waters of the State to fish for or take  
25 elvers unless a tag issued by the department is affixed to the  
26 shoreside wing of the net or trap and is clearly visible. The  
27 department may issue a replacement tag when an owner issued a tag  
28 documents that a net or trap has been damaged or lost.

30       **Sec. 4. 12 MRSA §6575-A**, as enacted by PL 1995, c. 536, Pt.  
31 A, §9 and affected by §13, is amended to read:

34       **§6575-A. Closed period; elver harvesting**

36       It is unlawful for a person to fish for or take elvers from  
37 noon Saturday Friday to noon Sunday. A person may leave an elver  
38 fyke net or a Sheldon eel trap in the coastal waters of the State  
39 during the closed period if the net or trap is left in a  
40 condition that prevents the capture of elvers.

42       **Sec. 5. 12 MRSA §6575-B, sub-§5**, as enacted by PL 1995, c.  
43 536, Pt. A, §9, is amended to read:

44       **5. Use of dip nets.** It is unlawful for a person to use a  
45 dip net to fish for or take elvers while standing in ~~the water of~~  
46 ~~a river, stream or brook within~~ the coastal waters of the State.

48       **Sec. 6. 12 MRSA §6575-C, sub-§3**, as amended by PL 1997, c. 91,  
49 §6, is further amended to read:

